

2005 Senate Bill 341

Date of enactment: **April 6, 2006**
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2005 WISCONSIN ACT 278

AN ACT to *renumber* 6.47 (1) (a) (intro.) and 1. and 6.47 (1) (a) 3.; to *renumber and amend* 6.47 (1) (a) 2.; to *amend* 6.47 (title), 6.47 (1) (b), 6.47 (2), 6.47 (4), 6.47 (5) (a) 1., 6.47 (7) (b), 6.47 (10) and 7.08 (1) (c); and to *create* 6.47 (1) (ag), 6.47 (1) (am) 4., 6.47 (1) (dm), 7.08 (10), 46.95 (4) and 165.93 (4) of the statutes; **relating to:** voter registration for certain victims of domestic abuse, sexual assault, or stalking.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 6.47 (title) of the statutes is amended to read:

6.47 (title) Confidentiality of information relating to victims of domestic abuse, sexual assault, or stalking.

SECTION 2. 6.47 (1) (a) (intro.) and 1. of the statutes are renumbered 6.47 (1) (am) (intro.) and 1.

SECTION 3. 6.47 (1) (a) 2. of the statutes is renumbered 6.47 (1) (am) 2. and amended to read:

6.47 (1) (am) 2. An individual who files an affidavit with the municipal clerk of the municipality where the individual resides, on a form prescribed by the board, that is signed by a sheriff or the chief of a police department, or a district attorney or the authorized representative of a sheriff, chief, or district attorney and directed to the municipal clerk, and that verifies that a person has been charged with or convicted of an offense relating to domestic abuse, sexual assault, or stalking in which the individual was a victim and reasonably continues to be threatened by that person.

SECTION 4. 6.47 (1) (a) 3. of the statutes is renumbered 6.47 (1) (am) 3.

SECTION 5. 6.47 (1) (ag) of the statutes is created to read:

6.47 (1) (ag) “Domestic abuse victim service provider” means an organization that is certified by the department of health and family services as eligible to receive grants under s. 46.95 (2) and whose name is included on the list provided by the board under s. 7.08 (10).

SECTION 6. 6.47 (1) (am) 4. of the statutes is created to read:

6.47 (1) (am) 4. An individual who submits a dated statement to the municipal clerk that includes the individual’s full name, that is signed by an authorized representative of a domestic abuse victim service provider or a sexual assault victim service provider, and that indicates that the individual received services from the provider within the 24-month period ending on the date of the statement.

SECTION 7. 6.47 (1) (b) of the statutes is amended to read:

6.47 (1) (b) “Offense relating to domestic abuse, sexual assault, or stalking” means an offense specified in s. 940.19, 940.20 (1m), 940.201, 940.22, 940.225, 940.32, 947.013, 948.02, 948.025, 948.06, 948.09 or 948.095.

* Section 991.11, WISCONSIN STATUTES 2003–04 : Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated” by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

SECTION 8. 6.47 (1) (dm) of the statutes is created to read:

6.47 (1) (dm) "Sexual assault victim service provider" means an organization that is certified by the department of justice as eligible to receive grants under s. 165.93 (2) and whose name is included on the list provided by the board under s. 7.08 (10).

SECTION 9. 6.47 (2) of the statutes is amended to read:

6.47 (2) Except as authorized in sub. (8), the board, each municipal clerk, each agent designated under s. 6.33 (5) (b), and each election official shall withhold from public inspection under s. 19.35 (1) the name and address of any eligible individual whose name appears on a poll list or registration list if the individual provides the municipal clerk with a valid written request to protect the individual's confidentiality. To be valid, a request under this subsection must be accompanied by a copy of a protective order that is in effect, an affidavit under sub. (1) (a) (am) 2. that is dated within 30 days of the date of the request ~~or~~ a statement signed by the operator or an authorized agent of the operator of a shelter that is dated within 30 days of the date of the request and that indicates that the operator operates the shelter and that the individual making the request resides in the shelter, or a statement signed by an authorized representative of a domestic abuse victim service provider or a sexual assault victim service provider under sub. (1) (am) 4. that is dated within 30 days of the date of the request. A physically disabled individual who appears personally at the office of the municipal clerk accompanied by another elector of this state may designate that elector to make a request under this subsection on his or her behalf.

SECTION 10. 6.47 (4) of the statutes is amended to read:

6.47 (4) Except as provided in sub. (5), a confidential listing under sub. (2) expires on the date that a protective order expires, the date that the protected individual ceases to reside in a shelter, the date that updated information is received from a sheriff, the chief of a police department, or a district attorney or the authorized representative of a sheriff, chief, or district attorney, or at the end of the 24-month period that follows creation or renewal of the listing under sub. (2), whichever is earlier.

SECTION 11. 6.47 (5) (a) 1. of the statutes is amended to read:

6.47 (5) (a) 1. The clerk receives notification from a sheriff ~~or~~ chief of police, or district attorney or the authorized representative of a sheriff, chief, or district attorney under sub. (8) (10).

SECTION 12. 6.47 (7) (b) of the statutes is amended to read:

6.47 (7) (b) If notice to a protected individual is not provided under par. (a), the municipal clerk shall provide

notice to the subject individual upon ~~canceled~~ changing a confidential listing changing a listed individual to ineligible status under sub. (2) (6).

SECTION 13. 6.47 (10) of the statutes is amended to read:

6.47 (10) If a sheriff ~~or~~ chief of a police department who signs, or district attorney has signed or the authorized representative of a sheriff, chief, or district attorney has signed an affidavit under sub. (1) (a) (am) 2. and the sheriff, chief, district attorney or authorized representative later obtains information that the person who was charged with an offense relating to domestic abuse, sexual assault, or stalking is no longer so charged or that the person's judgment of conviction has been vacated, and the charge or conviction was the sole basis for the affidavit, the sheriff ~~or~~ chief, district attorney or authorized representative shall provide written notice of that information to the municipal clerk to whom the affidavit was directed.

SECTION 14. 7.08 (1) (c) of the statutes is amended to read:

7.08 (1) (c) Prescribe forms required by ss. 6.24 (3) and (4), 6.30 (4), 6.33 (1), 6.40 (1) (a), 6.47 (1) (a) (am) 2. and (3), 6.55 (2) and (3), and 6.86 (2) and (3). All such forms shall contain a statement of the penalty applicable to false or fraudulent registration or voting through use of the form. Forms are not required to be furnished by the board.

SECTION 15. 7.08 (10) of the statutes is created to read:

7.08 (10) DOMESTIC ABUSE AND SEXUAL ASSAULT SERVICE PROVIDERS. Provide to each municipal clerk, on a continuous basis, the names and addresses of organizations that are certified under s. 46.95 (4) or 165.93 (4) to provide services to victims of domestic abuse or sexual assault.

SECTION 16. 46.95 (4) of the statutes is created to read:

46.95 (4) LIST OF ELIGIBLE ORGANIZATIONS. The department shall certify to the elections board, on a continuous basis, a list containing the name and address of each organization that is eligible to receive grants under sub. (2).

SECTION 17. 165.93 (4) of the statutes is created to read:

165.93 (4) LIST OF ELIGIBLE ORGANIZATIONS. The department shall certify to the elections board, on a continuous basis, a list containing the name and address of each organization that is eligible to receive grants under sub. (2).

SECTION 18. Effective date.

(1) This act takes effect on the first day of the 2nd month beginning after publication.